

**REMARKS**

Claims 1, 2, 4-6, 11, 13 and 14 have been examined. Claims 3, 7-10 and 12 have been withdrawn from consideration as being directed to a non-elected invention. Claim 2 has been canceled without prejudice or disclaimer. Claims 1 and 14 have been amended and new claims 15-18 have been added to more fully describe the patentable aspects of the invention. No new matter has been added. For example, claims 1 and 14 have been amended to incorporate the features of claim 2, in addition to material disclosed on page 33, lines 22-25, of the specification. Furthermore, the features recited in claims 15 and 16 are by example disclosed on page 37, lines 8-11, of the specification and the features recited in claims 17 and 18 are described by example on page 25, lines 15-24, and page 33, lines 22-25.

Applicants thank the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of a certified copy of the priority document.

Applicants also thank the Examiner for considering the references cited with the Information Disclosure Statements filed July 29, 2003 and December 29, 2003.

**I. Preliminary Matters**

**A. Specification**

The Examiner has objected to the title ("Imaging Apparatus") as not being descriptive. Applicant respectfully requests the Examiner to withdraw this objection in view of the self-explanatory amendments being made herein.

**B. Claims**

Claims 2, 4 and 13 have been objected to for informalities. Applicant respectfully requests the Examiner to withdraw the objection in view of the self-explanatory claim amendments made herein.

**II. Claim Rejection under 35 USC § 102**

Claims 1, 2, 6, 11, 13 and 14 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Parulski et al. (US 6,573,927). Applicant traverses this rejection.

**A. Claim 1**

Amended claim 1 recites, *inter alia*:

control means for carrying out judgment as to whether or not the communication means is within a communicable range of the wireless communication equipment and for controlling the communication means so as to send the authentication information stored in the authentication information storage means to the wireless communication equipment by carrying out the data communication with the wireless communication equipment in the case where a result of the judgment is affirmative and so as to send image apparatus information together with the selected image data to the addressee via the wireless communication equipment after the wireless communication equipment authenticates the imaging apparatus according to the authentication information.

The Examiner assert that Parulski discloses the above features. In particular, the Examiner asserts that Parulski discloses a microprocessor 29 and the communication range is inherently judged by the camera in order for wireless communication to operate and send image data when the camera is within the communication range of cell towers. Parulski discloses a communications interface (e.g., modem) which exchanges data through a communications network 31 with a service provider 14 (Col. 2, line 63 - Col. 3, line 4). Furthermore, the camera of Parulski includes a wireless communication means for sending print order information and account information through the communication network 31 to the service provider 14 for printing the order (Col. 4, lines 9-16 and 29-35).

Parulski, however, does not disclose to sending image apparatus information together with the selected image data to the addressee via the wireless communication equipment after the wireless communication equipment authenticates the imaging apparatus according to the authentication information, as recited in claim 1. That is, Parulski fails to disclose sending image apparatus information, such as model information and photography condition information, together with the selected image data to the addressee (i.e., the receiver-side apparatus). Thus, the advantageous effect of the present invention is that the receiver-side apparatus, such as a printer, can judge the machine type of the digital camera via the model information and the photography conditions used at the time of photograph via the photography condition information.

Therefore, Parulski fails to disclose each and every feature of claim 1 and Applicant submits that claim 1 is patentable for at least this reason.

**B. Claim 2**

Claim 2 has been canceled without prejudice or disclaimer and the rejection is now moot (see claim 1).

**C. Claim 6**

Claim 6 recites an “image storage means comprising a first storage area for storing the elected image data and a second storage area for storing the remaining image data”, which the Examiner asserts is disclosed by Parulski. Applicant respectfully disagrees. Parulski discloses using the camera 12 to take numerous pictures and storing the pictures either in the internal memory 32 or in the memory card 36 (or both) (Col. 3, lines 26-29). A user then selects which pictures a to be included in a print order, and the camera identifies the pointer to the image files that store the images required to fulfill the order (Col. 3, lines 29-44). Therefore, Parulski merely discloses storing image data in general memory and using pointers to identify which images files are used to fulfill a print order. Parulski does not disclose bifurcating memory storage areas according to whether the obtained image data is selected image data or remaining image data. That is, Parulski fails to disclose the first storage area for storing the selected image data and the second storage area for storing the remaining image data, as recited by claim 6. Applicant submits that claim 6 is patentable for at least this reason.

**D. Claim 11**

Since claim 11 depends upon claim 6, Applicants submit that claim 11 is patentable at least by virtue of its dependency upon claim 6.

**E. Claim 13**

Since claim 13 contains features similar to the features recited in claim 6, claim 13 should be patentable for analogous reasons set forth above in conjunction with claim 6.

**F. Claim 14**

Since claim 14 contains features similar to the features recited in claim 1, claim 14 should be patentable for analogous reasons set forth above in conjunction with claim 1.

**III. Rejection under 35 U.S.C. § 103(a)**

Claims 4 and 5 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. in view of Onishi et al (US Pub. 2004/0239772). Onishi, however, does not correct the deficiencies of Parulski with regard to claim 1. Since claims 4 and 5 depend upon claims 1 and 4, respectively, and Onishi does not correct the deficiencies of Parulski, Applicant submits that claims 4 and 5 are patentable at least by virtue of their dependencies.

**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Appln. No.: 10/628,327

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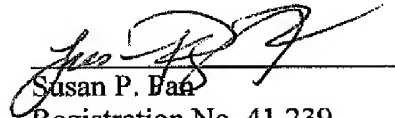
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